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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
BEFORE THE HONORABLE RONALD M. WHYTE, JUDGE

REHAN SHEIKH, )  
 )  
Plaintiff, )  
 )  
v. ) NO. C 07-00262 RMW  
 )  
CISCO SYSTEMS, INC., )  
 )  
Defendant. )  
\_\_\_\_\_ )

San Francisco, California  
Friday, October 22, 2010

**TRANSCRIPT OF PROCEEDINGS**

**APPEARANCES:**

For Plaintiff: **REHAN AYYUB SHEIKH**, in Pro Per  
P.O. Box 869  
French Camp, California 95231  
(appeared by telephone)

For Defendant: Littler Mendelson  
50 West San Fernando Street, 15th floor  
San Jose, California 95113-2303  
BY: **MARLENE S. MURACO**

Reported By: Leo T. Mankiewicz, CSR 5297 RMR, CRR  
Pro Tem Reporter

1 Friday, October 22, 2010

2 9:07 a.m.

3 P R O C E E D I N G S

4 **THE CLERK:** Calling case C07-00262, Rehan Sheikh  
5 versus Cisco systems, on for order to show cause.

6 State your appearances.

7 **MS. MURACO:** Good morning, your Honor. Marlene  
8 Muraco for defendant Cisco Systems.

9 **MR. SHEIKH:** Hello, your Honor. This is Rehan  
10 Sheikh, plaintiff.

11 **THE COURT:** All right, I put this matter on because  
12 it appeared that nothing had happened since I ordered  
13 arbitration.

14 **MS. MURACO:** Right, your Honor, you ordered  
15 arbitration, and the plaintiff never took steps to submit a  
16 demand to arbitration to the American Arbitration Association,  
17 as he was -- as the procedure calls for, under the policy. In  
18 fact, I never heard another word from him for the last year  
19 and-a-half.

20 **MR. SHEIKH:** Well, your Honor, I was never offered  
21 binding arbitration, as promised by defendant. Actually, I  
22 contacted defendant recently and Cisco Systems refused to,  
23 actually, to binding arbitration. They are appointing me to a  
24 third party.

25 In the actual motion, Cisco Systems had stated that

1 they had a process in place, and it was implied that they will  
2 offer me an opportunity to participate in the binding  
3 arbitration, and I have no ways to compel the defendant to  
4 offer me the process, so I can continue to evaluate my right.  
5 So I think this is up to the Court to enforce, to compel them  
6 to offer me the process, so I can, you know, start the process.

7 **THE COURT:** All right, I'll take a look at it and  
8 send out an order. Thank you. Do you have something further?

9 **MS. MURACO:** Your Honor, all I'll say is, after this  
10 was set for an OSC, Mr. Sheikh sent me an e-mail and I said,  
11 contact Triple-A to start the process. I don't know how to be  
12 more clear than that.

13 **THE COURT:** Have you contacted Triple-A arbitration?

14 **MR. SHEIKH:** Your Honor, I never work for Triple-A  
15 arbitration, I was never informed where is Triple-A  
16 arbitration, and in the pleadings, they clearly suggested that  
17 they have a process in place, and they will arrange for the  
18 neutral arbitrators. Your Honor, if they want me to refer to  
19 some third party, at least they give me the contact, and why  
20 should I contact the third party, you know? I mean, this  
21 was -- their pleading with the Court should have provided me  
22 with the process.

23 **THE COURT:** I'll take a look and send out an order.

24 **MS. MURACO:** Thank you.

25 **MR. SHEIKH:** Yeah, I just wanted to say, I wanted to

1 thank the Court for taking notice and giving us an opportunity  
2 to proceed forward.

3 **THE COURT:** Okay.

4 **MS. MURACO:** Thank you.

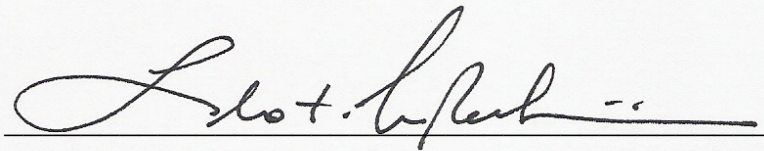
5 **MR. SHEIKH:** Thank you, your Honor.

6 9:10 a.m.

**CERTIFICATE OF REPORTER**

I, LEO T. MANKIEWICZ, a pro tem reporter in the United States Court, Northern District of California, and Certified Shorthand Reporter duly licensed in the State of California, hereby certify that the foregoing proceedings in Case No. C 07-00262 RMW, Sheikh v. Cisco Systems, Inc., were reported by me, and were thereafter transcribed under my direction into typewriting; that the foregoing is a true record of said proceedings as bound by me at the time of filing.

The validity of the reporter's certification of said transcript may be void upon disassembly and/or removal from the court file.

A handwritten signature in black ink, appearing to read "Leo T. Mankiewicz", is written over a horizontal line.

Leo T. Mankiewicz, CSR 5297, RMR, CRR

Monday, March 21, 2011